

REMARKS

Responsive to the Office Action mailed on April 7, 2010 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1-19 are pending in the application. Claims 5-17 are withdrawn from consideration. Claims 1-4 and 18-19 are rejected under 35 USC 102(e) as being anticipated by Wong (US 20020116775A1, hereinafter "Wong"). Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Peifer (US 5699575, hereinafter "Peifer"). Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Klinger (US 5561881, hereinafter "Klinger").

In this paper, claims 1, 2 and 19 are amended. Support for the amendments can be found throughout the specification, claims and figures as originally filed.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Rejections Over Wong

Claims 1-4 and 18-19 are rejected under 35 USC 102(e) as being anticipated by Wong. To the extent that the rejections apply to the claims now pending in the application, they are respectfully traversed.

The rejection of a claim for anticipation under 35 U.S.C. §102 requires that the prior art reference include every element of the rejected claim. Furthermore, as stated by the Federal Circuit, the prior art reference must disclose each element of the claimed invention "arranged as in the claim." *Lindermann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984).

Amended claim 1 recites an electric dental brush device comprising a finger grip, a drive source, a housing, a power supply, and a cleaning brush. The drive source is disposed in the finger grip. The housing is separated from the finger grip. The power supply is disposed in the housing and always connected to the drive source. The cleaning brush is secured at a tip portion of the electric dental brush device, and is driven by the drive source.

Amended claim 2 recites an electric dental brush device comprising a finger grip, a drive source, a housing, a power supply, a cleaning brush, and a connecting member. The drive source is disposed in the finger grip. The housing is separated from the finger grip. The power supply is disposed in the housing and always connected to the drive source. The cleaning brush is secured at a tip portion of the electric dental brush device. The connection member always connects the drive source and the power supply for powering the cleaning brush.

Amended claim 18 recites an electric dental brush device comprising a finger grip, a drive source, a housing, a power supply, a cleaning brush, and a connecting member. The drive source is disposed in the finger grip. The housing is separated from the finger grip, and is freely opened or closed. The power supply is disposed in the housing and always connected to the drive source. The cleaning brush is secured at a tip portion of the electric dental brush device, and is driven by the drive source. The switch mechanism is for allowing power supply to the cleaning brush only when the housing is closed and the cleaning brush is out of the housing.

Wong teaches an automatic power-driven toothbrush, which comprises a motor 106 (i.e., the alleged "drive source") in a hollow case 105 (i.e., the alleged "finger grip"). The motor 106 is powered by a battery 108 disposed in the hollow case 105. When the battery 108 is to be recharged, the hollow case 105 must be integrated with the base-placement device 112 (i.e., the alleged "housing"). When the recharge is completed and the toothbrush is to be used, the hollow case 105 must be separated from the base-placement device 112.

Thus, in Wong the alleged "drive source" 106 is driven by the "power supply" 108 in the alleged "finger grip" 105, not in the alleged "housing" 112. There is no teaching or suggestion that the power supply is disposed in the housing and always connected to the drive source, as required by claims 1, 2 and 18.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 1, 2 and 18. Applicant therefore respectfully requests that the rejection of claims 1, 2 and 18 be withdrawn and the claims passed to issue. Insofar as claims 3-4 and 19 depend from claim 1 or 18, and therefore incorporate all of the limitations of claim 1 or 18, it is Applicant's belief that these claims are also in condition for allowance over Wong.

Rejections Over Peifer

Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Peifer. To the extent that the rejections apply to the claims now pending in the application, they are respectfully traversed.

Peifer discloses a flexible rotary toothbrush. The toothbrush 10 has a handler 12 (i.e., the alleged "finger grip"), a motor 28 (i.e., the alleged "drive source") disposed in the handler 12. A battery 32 is disposed in the handler 12 and drives the motor 28. When the toothbrush 10 is to be recharged, the handler 12 is integrated to a cabinet 40 including a wall 44 (i.e., the alleged "housing"). When the recharge is completed and the toothbrush is to be used, the handler 12 must be separated from the cabinet 40.

Thus, in Peifer the alleged "drive source" 28 is driven by the "power supply" 32 in the alleged "finger grip" 12, not in the alleged "housing" 44. There is no teaching or suggestion that the power supply is disposed in the housing and always connected to the drive source, as required by claims 1, 2 and 18.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 1, 2 and 18. Applicant therefore respectfully requests that the rejection of claims 1, 2 and 18 be withdrawn and the claims passed to issue. Insofar as claims 3-4 depend from claim 1, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance over Peifer.

Rejections Over Klinger

Claims 1-4 and 18 are rejected under 35 USC 102(e) as being anticipated by Klinger. To the extent that the rejections apply to the claims now pending in the application, they are respectfully traversed.

Klinger teaches an electric toothbrush comprising an executive device 100 (i.e., the alleged "finger grip") and a charge unit 200 (i.e., the alleged "housing"). The supply unit 110 is disposed in the executive device 100 and drives a driving means 130 (i.e., the alleged "drive source"). When the supply unit 110 is to be recharged, the executive device 100 must be integrated with the charge unit 200. When the recharge is completed and the toothbrush is to be used, the executive device 100 must be separated from the charge unit 200.

Thus, in Klinger the alleged "drive source" 130 is driven by the "power supply" 110 in the alleged "finger grip" 100, not in the alleged "housing" 200. There is no teaching or suggestion that the power supply is disposed in the housing and always connected to the drive source, as required by claims 1, 2 and 18.

Similarly, with respect to claim 2, the alleged "drive source" 130 is driven by the "power supply" 110 in the alleged "finger grip" 100. There is no teaching or suggestion that the "drive source" 130 in the "finger grip" 100 is driven by a power supply in the "housing" 200, as required by claim 2.

For at least the reasons described above, it is Applicant's belief that the cited reference fails to teach or suggest all the limitations of claim 1, 2 and 18. Applicant therefore respectfully requests that the rejection of claims 1, 2 and 18 be withdrawn and the claims passed to issue. Insofar as claims 3-4 depend from claim 1, and therefore incorporate all of the limitations of claim 1, it is Applicant's belief that these claims are also in condition for allowance over Klinger.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so. The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to Deposit Account No. **502447**.

Appl. No. 10/533,044
Examiner: WILSON, LEE D, Art Unit 3727
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Respectfully submitted,

/Nelson A. Quintero/

Nelson A. Quintero

Reg. No. 52,143

Customer No. 34,283

Telephone: (310) 909-8535

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